

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	20-Cr-126 (SHS)
 -v-	:	<u>ORDER</u>
 ADELMIR OLIVA,	:	
 Defendant.	:	

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Sidney H. Stein, U.S. District Judge

In a letter dated February 22, 2023, defendant's attorney, David Touger, represented that "the Government has made two separate and distinct plea offers to Mr. Oliva that Mr. Oliva has decided against the advice of counsel to reject" [Doc. No. 384]. Mr. Touger requested that the Court "conduct an inquiry in accordance with *Missouri v Frye*, 132 S.Ct 1399, 566 U.S. 134 (2012)."

IT IS HEREBY ORDERED that:

1. The Court shall conduct an inquiry on March 2, 2023, at 3:00 p.m. in Courtroom 23A on whether two plea bargain offers were made by the government; whether defendant was advised of the plea offers and their terms by Mr. Touger; whether defendant rejected each plea offer; and whether he understands that the determination of whether to accept or reject a plea offer is for him – not for his attorney – to make;

2. Donald Duboulay, Esq., who was appointed by the Court as additional counsel on January 25, 2023, shall also appear at the March 2 conference;

3. Proposed jury charges, any motions in limine, and, if the parties wish, proposed voir dire, are due by April 17, 2023;

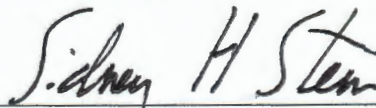
4. Responses to any motions are due by April 24, 2023;

5. The final pretrial conference remains at May 1, 2023, at 9:30 a.m.; and

6. The trial remains set to commence on May 8, 2023, at 9:30 a.m.

Dated: New York, New York  
February 23, 2023

SO ORDERED:

  
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Sidney H. Stein, U.S.D.J.